

Notice of Allowability	Application No.	Applicant(s)	
	10/756,171	WAGNER ET AL.	
	Examiner	Art Unit	
	Hemant M. Desai	3721	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to application filed on 1/13/2004.
2. ☒ The allowed claim(s) is/are 1-9, 19 and 20.
3. ☒ The drawings filed on 13 January 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☒ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

Priority

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Germany on January 15, 2003. It is noted, however, that applicant has not filed a certified copy of the 103 01 178.1 application as required by 35 U.S.C. 119(b).
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Nils Ljungman on 6/20/2005.

The application has been amended as follows:

The title has been changed to -- BEVERAGE BOTTLING PLANT AND A CONVEYOR ARRANGEMENT FOR TRANSPORTING PACKAGES --.

In the Specification:

Delete "SomeNo.", page 29, lines 20-26.

Delete pages 30-33.

In the claims:

Claims 10-18 has been cancelled.

Claims 1-9, 19 and 20 has been replaced as follows:

Claim 1:

A beverage bottling plant for filling bottles with a liquid beverage filling material, said beverage bottling plant comprising:

a beverage filling machine comprising a plurality of beverage filling positions, each beverage filling position comprising a beverage filling device for filling bottles with liquid beverage filling material;

said filling devices comprising apparatus configured to introduce a predetermined flow of liquid beverage filling material into the interior of bottles to a substantially predetermined level of liquid beverage filling material;

said apparatus configured to introduce a predetermined flow of liquid beverage filling material comprising apparatus configured to terminate the filling of beverage bottles upon liquid beverage filling material reaching said substantially predetermined level in bottles;

a first conveyer arrangement configured and disposed to move bottles to said beverage filling machine;

a closing station configured to close filled bottles;

a second conveyer arrangement configured and disposed to transfer filled bottles from said filling machine to said closing station;

a loading station configured to load filled bottles into containers;

a third conveyor arrangement configured and disposed to transfer filled bottles from said closing station to said loading station;

a fourth conveyer arrangement configured and disposed to remove the containers containing filled bottles from said loading station; said fourth conveyer arrangement comprising:

a conveyer input and a conveyer output;

a conveyer frame;

a chain configured and disposed to cycle in said frame between said conveyer input and said conveyer output;

a first guide rod, a second guide rod, and a third guide rod, all being connected to said chain;

a first sled structure connected to said chain by said first guide rod at a first location and configured to travel with said chain and also configured to move along said first guide rod;

a second sled structure connected to said chain by said second guide rod at a second location and configured to travel with said chain interiorly of said first sled structure and also configured to move along said second guide rod;

a third sled structure connected to said chain by said third guide rod at a third location and configured to travel with said chain interiorly of said second sled structure and also configured to move along said third guide rod;

each sled structure comprising:

a guide structure configured to receive and at least partially to surround a container containing filled bottles at said conveyer input and configured to deposit the container containing filled bottles at said conveyer output;

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a first guide pin connected to said guide structure;

a toggle-lever arrangement;

said toggle-lever arrangement comprising:

a linkage pin connected to said guide structure;

said linkage pin having an axis of rotation;

said guide structure configured to rotate about said axis of rotation of said linkage pin;

a first lever having a first end and a second end remote from said first end of said first lever;

said first end of said first lever being connected to said linkage pin and configured to rotate said linkage pin about said longitudinal axis of said linkage pin and thus to effectuate rotation of said guide structure and the container containing filled bottles;

a second lever configured and disposed to actuate said first lever for the rotation of said guide structure;

said second lever having a first end and a second end remote from said first end;

said first end of said second lever connected to said second end of said first lever;

said second lever having a guide pin connected to said second end of said second lever;

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said first guide pin and said guide pin of said second lever configured to be disposed in a first position, at a first distance from one another, adjacent said conveyer input; and

said first guide pin and said guide pin of said second lever configured to be disposed at a second position, at a second distance from one another, adjacent said conveyer output;

said second distance being greater than said first distance and of sufficient length to effectuate the rotation of said guide structure and the container containing filled bottles upon said first lever being actuated by said second lever; and said toggle-lever arrangement further comprising:

a reset arrangement configured and disposed to reposition said first guide pin and said guide pin of said second lever of said toggle-lever arrangement from the second position at said conveyer output to the first position at said conveyer input;

said fourth conveyer arrangement further comprising:

a first pair of guide rails configured and disposed to guide said first sled structure and a first container containing filled bottles to a first location;

a second pair of guide rails disposed adjacent said first pair of guide rails and configured and disposed to guide said second sled structure and a second container containing filled bottles to a second location adjacent said first location;

a third pair of guide rails disposed adjacent said second pair of guide rails and configured and disposed to guide said third sled structure and a third container containing filled bottles to a third location adjacent said second location;

said each pair of guide rails disposed stationary in reference to said conveyer frame and said each pair of guide rails comprising:

a first guide rail having a guide groove to guide said first guide pin; and

a second guide rail having a guide groove to guide said guide pin of said second lever of a toggle-lever arrangement;

said each guide rail comprising an input end disposed adjacent said conveyer input;

said each guide rail comprising an output end disposed adjacent said conveyer output;

said each first guide rail configured to guide the first guide pin of the corresponding sled structure in the corresponding first guide rail guide groove;

said each second guide rail configured to guide the guide pin of the second lever of the corresponding toggle-lever arrangement of the corresponding sled structure in said second guide rail guide groove in the corresponding first guide rail guide groove;

said each pair of guide rails thus configured to guide the corresponding guide structure and the container containing filled bottles from said conveyer input to a location at said conveyer output;

said each pair of guide rails further comprising:

a first apparatus configured and disposed to position said first guide rail and said second guide rail in a first position with respect to one another and also in a second position with respect to one another:

wherein in said first position said first guide rail and said second guide rail are disposed parallel with respect to one another to permit movement of said guide structure and the container containing filled bottles without rotation from said conveyer input to said conveyer output; and

wherein in said second position said first guide rail and said second guide rail are positioned at a predetermined angle with respect to one another and thus to dispose the input ends of said each pair of guide rails with respect to one another at the first distance between the first guide pin and the guide pin of the second lever of the corresponding toggle-lever arrangement and also to dispose the output ends of said each pair of guide rails with respect to one another at the second distance between the first guide pin and the guide pin of the second lever of the corresponding toggle-lever arrangement;

said angle between said each pair of guide rails, the first guide pin of the corresponding sled structure, and the guide pin of the second lever of the corresponding toggle-lever arrangement of the corresponding sled structure configured to effectuate the rotating of the guide structure and the container containing filled bottles upon transport of the corresponding sled structure and the container containing filled bottles from said conveyer input to said conveyer output; and

said each pair of guide rails yet further comprising:

a second apparatus configured and disposed to position the output ends of said pair of guide rails at a predetermined distance with reference to said conveyer chain.

Claim 2

The beverage bottling plant according to claim 1, wherein:

said conveyer frame comprises the guide structures configured and disposed to guide said first guide rod, said second guide rod, and said third guide rod in a predetermined plane.

Claim 3

The beverage bottling plant according to claim 2, wherein:

said first guide rail and said second guide rail are disposed at an angle between about zero degrees to about ninety degrees to rotate the guide structure and the container held by the guide structure.

Claim 4

The beverage bottling plant according to claim 3, wherein:

said toggle-lever arrangement comprises a thrust crank configured and disposed to rotate the guide structure and the container containing filled bottles held by the guide structure.

Claim 5

The beverage bottling plant according to claim 4, wherein:

said first apparatus configured and disposed to position said first guide rail and said second guide rail in a first position and also in a second position with respect to one another, comprises a transmission arrangement configured and disposed to vary the magnitude of the angle between said first guide rail and said second guide rail;

said transmission arrangement for varying the angle between said first guide rail and said second guide rail comprises one of (i), (ii) and (iii), wherein (i), (ii) and (iii) comprise:

- (i) a spindle-and-spindle-nut transmission arrangement;
- (ii) a transmission arrangement configured to be manually actuated; and
- (iii) a transmission arrangement comprising a motor configured and disposed to actuate said transmission arrangement comprising a motor.

Claim 6

The beverage bottling plant according to claim 5, wherein:

said second apparatus configured and disposed to position the output ends of the pair of guide rails at a predetermined distance with reference to said conveyer chain comprises a spindle structure disposed transversely with respect to said first guide rail and said second guide rail.

Claim 7

A conveyer arrangement configured to transport packages, said conveyer arrangement comprising:

- a conveyer input and a conveyer output;
- a conveyer frame;
- a plurality of conveying devices configured and disposed to cycle in said conveyer frame between said conveyer input and said conveyer output;
- a plurality of guide rods; each of said guide rods being connected to said conveying devices and configured to travel with said conveying devices;

a plurality of sled structures; each of said sled structures configured to move along the corresponding guide rod;

each of said sled structures comprising:

a guide structure configured to receive a package at said conveyer input and configured to deposit the package at said conveyer output;

an arrangement configured and disposed to rotate said guide structure;

said conveyer arrangement further comprising:

a plurality of pairs of guide rails disposed stationary with respect to said conveyer frame and configured to guide one of said plurality of guide structures and the package held by the corresponding guide structure from said conveyer input to said conveyer output and to deposit packages adjacent one another in a row transverse to said conveyer frame at said conveyer output;

each of said pairs of guide rails comprising:

a first guide rail and a second guide rail; and

an apparatus configured and disposed to position said first guide rail and said second guide rail in a first position with respect to one another and also in a second position with respect to one another:

wherein in said first position said first guide rail and said second guide rail are disposed parallel with respect to one another to permit movement of one of said plurality of guide structures and the package held by the corresponding guide structure without being rotated by said rotating arrangement upon movement of the corresponding guide structure and the package from said conveyer input to said conveyer output; and

wherein in said second position said first guide rail and said second guide rail are disposed at an angle with respect to one another to permit rotating of one of said plurality of guide structures and the package held by the corresponding guide structure by said rotating arrangement upon movement of the corresponding guide structure and the package from said conveyer input to said conveyer output.

Claim 8

The conveyer arrangement according to claim 7, comprising all of: (a), (b), (c), (d), (e), (f), (g), (h), (i), (j) and (k), wherein (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), and (k) comprise:

(a) said plurality of conveying devices comprises a chain configured and disposed to guide said plurality of guide rods;

(b) said conveyer frame comprises guide structures configured and disposed to guide said plurality of guide rods in a predetermined plane;

(c) said first guide rail and said second guide rail are disposed at an angle between about zero degrees to about ninety degrees to rotate the guide structure and the package held by the guide structure;

(d) said rotating arrangement comprises a thrust crank configured and disposed to rotate the guide structure and the package held by the guide structure;

(e) a transmission arrangement configured and disposed to vary the magnitude of the angle between said first guide rail and said second guide rail;

(f) said transmission arrangement for varying the angle between said first guide rail and said second guide rail comprises a spindle-and-spindle-nut transmission arrangement;

(g) said transmission arrangement comprises one of (i) and (ii), wherein (i) and (ii) comprise:

(i) a transmission arrangement configured to be manually actuated; and

(ii) a transmission arrangement comprising a motor configured and disposed to actuate said transmission arrangement comprising a motor;

(h) an apparatus configured and disposed to swing said first guide rail and also said second guide at the ends closest to said conveyer input with reference to said conveyer frame;

(i) said apparatus configured and disposed to swing said first guide rail and also said second guide at the ends closest to said conveyer input with reference to said conveyer frame comprises a spindle structure disposed transversely with respect said first guide rail and said second guide rail;

(j) a first guide structure and a second guide structure; and two pairs of guide rails comprising a first pair of guide rails and a second pair of guide rails; said first pair of guide rails and said second pair of guide rails are disposed in mirror-image arrangement with respect to one another; and

(k) a first guide rod of said plurality of guide rods and the first guide box structure and the package held by the first guide structure are configured to be guided by said first pair of said two pairs of guide rails; and

a second guide rod of said plurality of guide rods and the second guide structure and the package held by the second guide box structure are configured to be guided by said second pair of said two pairs of guide rails.

Claim 9

The conveyer arrangement according to claim 7, comprising at least one of: (a), (b), (c), (d), (e), (f), (g), (h), (i), (j) and (k), wherein (a), (b), (c), (d), (e), (f), (g), (h), (i), (j) and (k) comprise:

(a) said plurality of conveying devices comprises a chain configured and disposed to guide said plurality of guide rods;

(b) said conveyer frame comprises guide structures configured and disposed to guide said plurality of guide rods in a predetermined plane;

(c) said first guide rail and said second guide rail are disposed at an angle between about zero degrees to about ninety degrees to rotate the guide structure and the package held by the guide structure;

(d) said rotating arrangement comprises a thrust crank configured and disposed to rotate the guide structure and the package held by the guide structure;

(e) a transmission arrangement configured and disposed to vary the magnitude of the angle between said first guide rail and said second guide rail;

(f) a transmission arrangement configured and disposed to vary the magnitude of the angle between said first guide rail and said second guide rail; said transmission arrangement for varying the angle between said first guide rail and said second guide rail comprises a spindle-and-spindle-nut transmission arrangement;

(g) a transmission arrangement configured and disposed to vary the magnitude of the angle between said first guide rail and said second guide rail; said transmission arrangement for varying the angle between said first guide rail and said second guide rail comprises a spindle-and-spindle-nut transmission arrangement; said transmission arrangement comprises one of (i) and (ii), wherein (i) and (ii) comprise:

(i) a transmission arrangement configured to be manually actuated; and

(ii) a transmission arrangement comprising a motor configured and disposed to actuate said transmission arrangement comprising a motor;

(h) an apparatus configured and disposed to swing said first guide rail and also said second guide at the ends closest to said conveyer input with reference to said conveyer frame;

(i) an apparatus configured and disposed to swing said first guide rail and also said second guide at the ends closest to said conveyer input with reference to said conveyer frame; said apparatus configured and disposed to swing said first guide rail and also said second guide at the ends closest to said conveyer input with reference to said conveyer frame comprises a spindle structure disposed transversely with respect said first guide rail and said second guide rail;

(j) a first guide structure and a second guide structure; and two pairs of guide rails comprising a first pair of guide rails and a second pair of guide rails; said first pair of guide rails and said second pair of guide rails are disposed in mirror-image arrangement with respect to one another; and

(k) a first guide rod of said plurality of guide rods and the first guide structure and the package held by the first guide structure are configured to be guided by said first pair of said two pairs of guide rails; and a second guide rod of said plurality of guide rods and the second guide structure and the package held by the second guide structure are configured to be guided by said second pair of said two pairs of guide rails.

Claim 19

The conveyer arrangement according to claim 7, comprising:

a third guide rail and a fourth guide rail;

said third guide rail and said fourth guide rail are disposed in mirror-image arrangement with respect to said first guide rail and said second guide rail.

Claim 20

The conveyer arrangement according to claim 19, wherein:

the first guide structure and the package held by said first guide structure are configured to be guided by said first guide rail and said second guide rail from said conveyer input to said conveyer output to deposit the package held by said first guide structure at a first location at said conveyer output; and

the second guide structure and the package held by said second guide structure are configured to be guided by said third guide rail and said fourth guide rail from said conveyer input to said conveyer output to deposit the package held by said second guide structure at a second location and in a row transverse to said conveyer frame adjacent a package deposited by said first guide structure at said conveyer output.

In the Abstract:

Delete "The abstract... ..manner.", page 54 of abstract, lines 6-16.

REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance: The prior art of record fails to disclose the claimed bottling plant and conveyor arrangement, including: a plurality of sled structures, each of the sled structures comprising a guide structure to receive a package at conveyer input and to deposit the package at conveyer output, an arrangement to rotate the guide structure, comprising a plurality of pairs of stationary guide rails to guide the guide structures and the package held by the corresponding guide structure from the conveyer input to the conveyer output and to deposit packages adjacent one another in a row transverse to the conveyer frame at said conveyer output, each of the pairs of guide rails comprising a first guide rail and a second guide rail, and an apparatus to position the first guide rail and the second guide rail in a first position with respect to one another and also in a second position with respect to one another, wherein in the first position the first guide rail and the second guide rail are parallel with respect to one another to permit movement of the guide structures and the package held by the corresponding guide structure without being rotated by the rotating arrangement when the guide structures and the packages are moving from the conveyer input to the conveyer output, and in the second position the first guide rail and the second guide rail are at an angle with respect to one another to permit rotating of the guide structures and the package held by the corresponding guide structure by the rotating arrangement.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

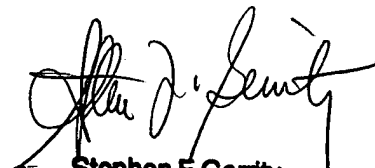
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hemant M. Desai whose telephone number is (571) 272-4458. The examiner can normally be reached on 7:00 AM-5:30 PM, Mon-Thurs..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi I. Rada can be reached on (571) 272-4467. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hemant M Desai
Examiner
Art Unit 3721

HMD


Stephen F. Gerrity
Primary Examiner

571-272-4460